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19 European countries restrict the cultivation of GE crops

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Biotechnology - GE Plants and Animals

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Report Highlights:

A European Union (EU) directive that allows EU Member States (MS) to ban the cultivation of genetically engineered (GE) plants in their respective territories for non-scientific reasons was adopted in March 2015. Under the transitional measures, the MS had until October 3, 2015 to request to be excluded from the geographical scope of the authorizations already granted or in the pipeline. Nineteen countries have decided to “opt out” of GE crops cultivation for all or part of their territories. These decisions will not lead to a change in the field, since none of the five European countries that currently grow GE corn are opting out.

On March 11, 2015, [Directive \(EU\) 2015/412](#) was officially released. It allows Member States (MS) of the European Union (EU) to restrict or ban the cultivation of EU-authorized genetically engineered (GE) plants in their territories for non-scientific reasons.

Before this directive was released, it was possible for EU Member States to ban the cultivation of GE plants on the basis of the safeguard clause¹ or of the emergency measures,² provided that new scientific evidence suggested that such cultivation could be harmful to the environment, or human or animal health (it is still possible today). Several EU countries have imposed national cultivation bans on this basis, but the European Food Safety Authority (EFSA) has determined that these bans were not justified by scientific evidence. The European Commission has allowed the bans to continue despite the EFSA determinations. With Directive (EU) 2015/412, the Commission has sought a means by which MS could legally opt out of cultivating approved GE plants.

Under Directive (EU) 2015/412, the MS that want to restrict or prohibit GE crops cultivation on their territories have two options:

- Option 1: During the authorization procedure, a MS may ask to amend the geographical scope of the application to exclude part of or all its territory. The manufacturer of the GE plant has 30 days to adjust or confirm the scope of its application. MS are allowed to ask for their territory to be reintegrated into the geographical scope of the authorization after the authorization has been granted.
- Option 2: After a GE variety has been authorized for cultivation in the EU, a MS may adopt national opt out measures, by invoking grounds such as environmental or agricultural policy objectives, town and country-planning, land use, coexistence, socio-economic impacts, or public policy. These opt out measures may restrict or ban the cultivation of a GE variety or of a group of GE varieties defined by crop or trait.

Under the transitional measures, the MS had until October 3, 2015 to implement “Option 1” for GE plants already granted approval or in the pipeline. The only GE plant approved for cultivation in the EU is MON810 Bt corn, an insect-resistant corn. It is grown in five EU countries. Seven other varieties of corn are currently in the pipeline.

Seventeen countries and four regions in two countries (Wallonia in Belgium; Northern Ireland, Scotland, and Wales in the United Kingdom) have decided to implement Option 1. All of them have decided to ban the cultivation of MON810 and of the seven varieties of corn that are in the pipeline, apart from Denmark and Luxembourg that have only banned MON810 and three from the seven varieties in the pipeline. These decisions will not lead to a change in the field as none of the five European countries that currently grow GE corn are opting out. The map and the table below provide an overview of the situation.

The manufacturers of the GE plants concerned have 30 days to accept or reject the requests of the MS. Whatever their answer, the MS still have the possibility to implement Option 2.

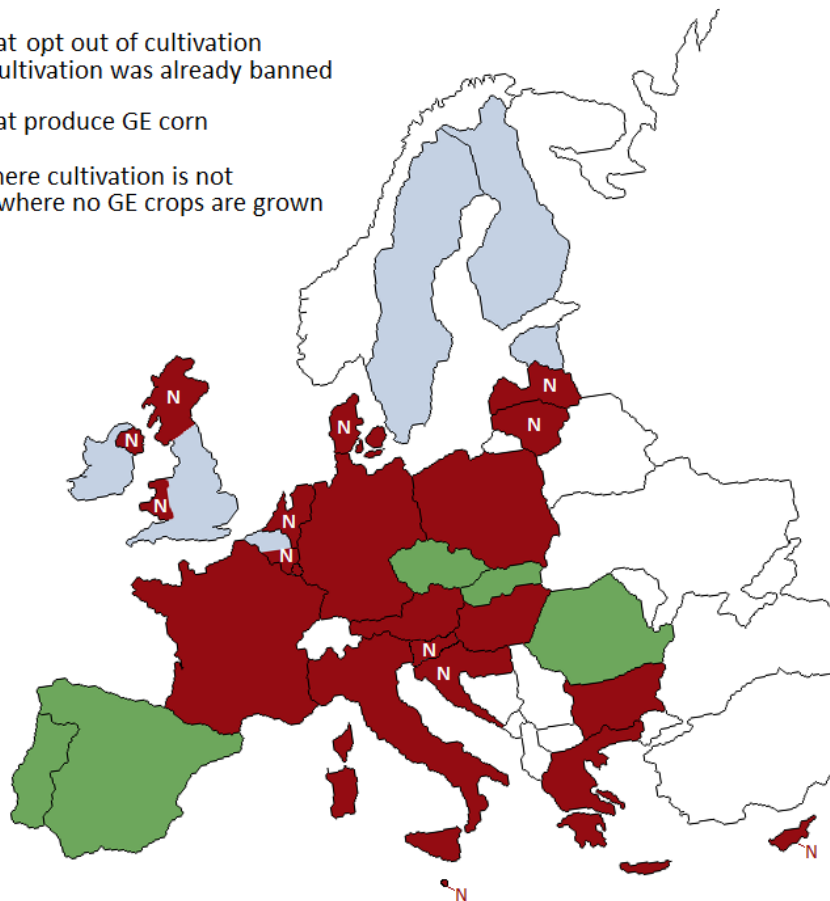
¹ see Article 23 of Directive [2001/18/EC](#)

² see Article 34 of Regulation (EC) [No 1829/2003](#)

EU Member States that Opt Out of GE Crops Cultivation

October 2015

- N New: countries that opt out of cultivation and where cultivation was not banned until now
- Countries that opt out of cultivation and where cultivation was already banned
- Countries that produce GE corn
- Countries where cultivation is not banned but where no GE crops are grown






Source: USDA FAS

Situation

N Eight countries and four regions where cultivation was not banned until now have decided to opt out of GE corn cultivation under the new directive. This decision will not lead to a change in the field as farmers in these countries do not cultivate GE corn for various reasons, including the fact that is not well-suited to local growing conditions, the threat of protests, and administrative constraints.

Countries and regions

Eight countries: Croatia, Cyprus, Denmark,³ Latvia, Lithuania, Malta, the Netherlands,⁴ Slovenia
 Four regions in two countries: Wallonia in Belgium; Northern Ireland, Scotland, and Wales in the United Kingdom

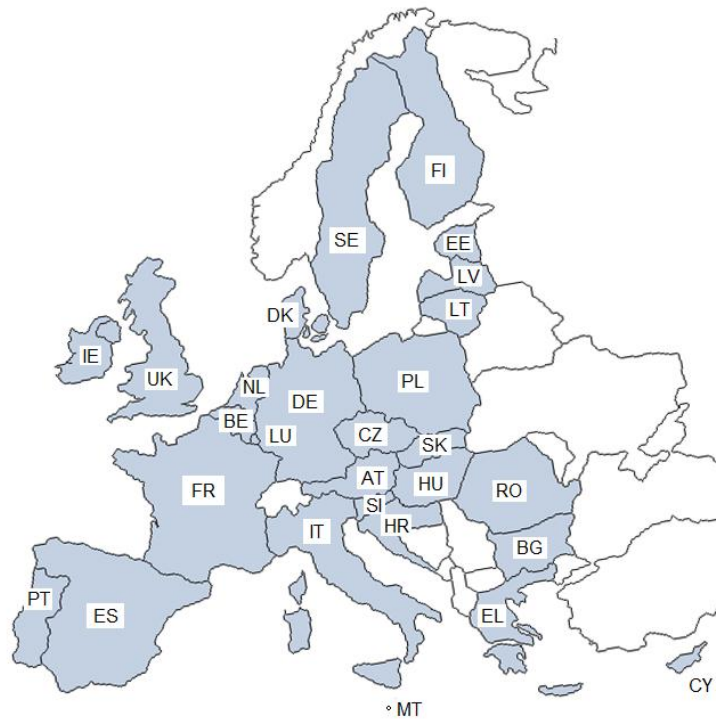
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|  | Nine countries where cultivation was already banned under various procedures have decided to opt out of GE corn cultivation under the new directive. | Austria, Bulgaria, France, Germany, Greece, Hungary, Italy, Luxemburg, ³ and Poland |
|  | None of the five countries that grow GE corn are opting out. | Spain (representing more than 90 percent of the total area), the Czech Republic, Portugal, Romania, and Slovakia |
|  | In the other countries and regions, cultivation is still allowed but no GE corn is grown for various reasons, including the fact that is not well-suited to local growing conditions and the threat of protests. | Four countries: Ireland, Sweden, Finland, Estonia Two regions: Flanders in Belgium, England in the United Kingdom |

³ Denmark and Luxemburg are only opting out of cultivation for MON810 and three from the seven varieties of corn that are currently in the pipeline

⁴ In the Netherlands, the government is developing its own assessment framework for GE crops cultivation at the moment. If, as a result of the assessment, cultivation of a variety is not banned in the Netherlands, the government will lift any geographical restriction that may be in place.

ANNEX

The 28 Member States of the European Union



| | | | |
|----|----------------|----|-----------------|
| AT | Austria | IE | Ireland |
| BE | Belgium | IT | Italy |
| BG | Bulgaria | LT | Lithuania |
| CY | Cyprus | LU | Luxembourg |
| CZ | Czech Republic | LV | Latvia |
| DE | Germany | MT | Malta |
| DK | Denmark | NL | The Netherlands |
| EE | Estonia | PL | Poland |
| EL | Greece | PT | Portugal |
| ES | Spain | RO | Romania |
| FI | Finland | SE | Sweden |
| FR | France | SI | Slovenia |
| HR | Croatia | SK | Slovakia |
| HU | Hungary | UK | United Kingdom |